

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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WILLIAM F. MASTRO, J.P.
MARK C. DILLON
JOSEPH J. MALTESE
HECTOR D. LASALLE, JJ.

2016-11264

DECISION & ORDER ON MOTION

In the Matter of Travon Hylton, respondent,
v Deandra Nereida Delvalle, appellant.

(Docket No. V-19912-12/13A)

Motion by counsel assigned to prosecute an appeal from an order of the Family Court, Kings County, dated August 23, 2016, in effect, to be relieved of the assignment on the ground that no appeal lies from an order entered upon the default of the appealing party. By order to show cause dated February 2, 2018, the parties were directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding on the ground that no appeal lies from an order entered upon the default of the appealing party, and the motion by the appellant's assigned counsel is held in abeyance in the interim.

Now, upon the order to show cause and no papers having been filed in response thereto, and upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion to dismiss the appeal is granted, and the appeal is dismissed, without costs or disbursements (*see* CPLR 5511); and it is further,

ORDERED that the motion by the appellant's assigned counsel, in effect, to be relieved is granted.

MASTRO, J.P., DILLON, MALTESE and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 15, 2018

MATTER OF HYLTON v DELVALLE